

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: May 15, 1954. Default decree of condemnation and destruction.

FISH AND SHELLFISH

21419. Adulteration and misbranding of fish fillets and fish sticks. U. S. v. 76 Cases, etc. (F. D. C. No. 36451. Sample Nos. 59868-L to 59871-L, incl.)

LIBEL FILED: March 16, 1954, Western District of North Carolina.

ALLEGED SHIPMENT: On or about November 9 and December 15, 1953, and January 11, 23, and 27, and February 8, 1954, by the Sea Pak Corp., from St. Simons Island, Ga.

PRODUCT: 76 cases, each containing 7 boxes, and 49 cases, each containing 24 packages, of fish sticks, and 101 cases, each containing 24 packages, and 51 cases, each containing 6 boxes, of fish fillets at Charlotte, N. C.

Examination showed that the product in the 49-case lot was a mixture of cod and haddock and that the product in the other lots was haddock.

LABEL, IN PART: (Box) "Uni-Serv Breaded Ocean White Fish Sticks Sea Pak 78 tasty 1 oz. fish sticks Ready to cook"; (package) "Breaded Ocean White Fish * * * 12 tasty fish sticks * * * Sea Pak * * * Net Wt. 12 Ozs." and "Breaded Ocean White Fish Skinless—Boned 3 individual fillets * * * Sea Pak * * * Net Wt. 12 Ozs."; (box) "Uni-Serv Breaded Ocean White Fish Sea Pak * * * 20 individual 4 oz. fillets Ready to cook."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), haddock and cod had been substituted for ocean whitefish, which the articles were represented to be.

Misbranding, Section 403 (a), the label statement "Ocean White Fish" was false and misleading as applied to fish which was haddock or a mixture of cod and haddock.

DISPOSITION: April 8, 1954. The Sea Pak Corp., claimant, having consented to the entry of a decree, judgment was entered providing for the release of the product under bond for relabeling in accordance with the law.

21420. Adulteration of canned anchovies. U. S. v. 69 Cases * * *. (F. D. C. No. 36434. Sample No. 52787-L.)

LIBEL FILED: March 9, 1954, Southern District of New York.

ALLEGED SHIPMENT: From a foreign country, prior to January 1, 1954.

PRODUCT: 69 cases of anchovies at New York, N. Y. Some of the cases contained 100 cans of the product and other cases contained varying numbers of cans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 30, 1954. Default decree of condemnation and destruction.

21421. Adulteration of frozen red snappers. U. S. v. 3 Cartons * * *. (F. D. C. No. 36504. Sample No. 50185-L.)

LIBEL FILED: April 14, 1954, District of New Jersey.

ALLEGED SHIPMENT: On or about December 1, 1953, from New York, N. Y.

PRODUCT: 3 100-pound cartons of frozen red snappers at Monmouth Beach, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 18, 1954. Default decree of condemnation and destruction.

21422. Adulteration of fish roe. U. S. v. 3 Kegs * * *. (F. D. C. No. 36373. Sample No. 50165-L.)

LIBEL FILED: February 5, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about December 22, 1953, by George Lindal, from Baileys Harbor, Wis.

PRODUCT: 3 kegs, each containing 125 pounds, of fish roe at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worms and worm parts.

DISPOSITION: March 1, 1954. Default decree of condemnation and destruction.

21423. Adulteration of crabmeat. U. S. v. 49 Cans, etc. (and 1 other seizure action). (F. D. C. Nos. 35883, 35884. Sample Nos. 48151-L, 48152-L.)

LIBELS FILED: On or about November 25, 1953, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 19, 1953, by the Pascagoula Crab Co., from Pascagoula, Miss.

PRODUCT: 49 1-pound cans of "special" crabmeat and 89 1-pound cans of claw crabmeat at New Orleans, La. Examination showed that the product was contaminated with *E. coli* of fecal origin.

LABEL, IN PART: (Can) "Pascagoula Crab Co. Claw Crab Meat [or "Special Crab Meat"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance; and, Section 402 (a) (4); the article was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 23, 1953. Default decrees of condemnation and destruction.

21424. Adulteration of oysters. U. S. v. 2 Barrels * * *. (F. D. C. No. 35984. Sample No. 72179-L.)

LIBEL FILED: November 19, 1953, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about November 7, 1953, by Carol Dryden & Co., Inc., from Crisfield, Md.

PRODUCT: 2 barrels, each containning 160 cans, of oysters at Knoxville, Tenn.

LABEL, IN PART: (Can) "Oysters Standards One Pint Pride of the Chesapeake Oysters."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.